

WOOD RIVER VALLEY IRRIGATION DISTRICT #45  
P.O. BOX 108 BELLEVUE ID 83313

May 13th, 2011

Allen Merritt  
Idaho Department of Water Resources  
1341 Fillmore Street, Suite 200  
Twin Falls, ID 83301-3380

RECEIVED  
JUN 16 2011  
DEPT. OF WATER RESOURCES  
SOUTHERN REGION

Re: Transfers and Applications

Dear Allen:

The Wood River Valley Irrigation District, as you know, is responsible for delivering water to individual water right owners who have a point of delivery from the Wood River at the 45 Canal in Bellevue. Because of this responsibility, Wood River Valley Irrigation District must be informed by the Department of any transfers and applications which propose to transfer the place of use, change the nature of the use, add to or subtract diversions, or otherwise affect the ability of the District to carry out its responsibilities to the applicant or to the other members of the District. The District requests consultation and notice from the Department whenever the transfer or application proceeding seeks to transfer water away from or into the original point of diversion at the 45 Canal, because, as you know, there will be an effect on the carriage water in those instances. In addition, the District requests consultation and notice of each transfer and application which involve water delivered by the 45 Canal and which will remain within the boundaries of the District. Idaho Code § 42-108 provides that when the use of diversion works or irrigation systems are managed by an irrigation district, then no change can be made to a water right without the consent of the irrigation district.

There is at least one current situation where a new application proposes transferring some of the water delivered by the District from one use to another. Yet, the District was not informed of this application or consulted by the Department prior to processing the proposed change. Instead, the District was forced to file a protest. While we are confident that we can resolve the protest, it should not be necessary for the District to intervene in these proceedings through a protest. No such changes can be made without the consent of the district and any such approval by the Department without the consent of the District is void. Idaho Code § 42-108. Wood River Valley

Irrigation District hereby requests, any administrative proceeding involving water which is distributed through the 45 Canal, that the Department consult with and obtain the District's consent prior to processing any changes as required by law.

Thank you and the Department for your cooperation.

Very truly yours,

A handwritten signature in cursive script, appearing to read "John Stevenson".

John Stevenson, Chairman  
Wood River Valley Irrigation District #45

*P.S. Please acknowledge receipt to jfstevenson  
@svstylan.net  
6-15-11*